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Report on the activities of the Office of Internal Oversight Services

Review of the reporting by United Nations peacekeeping missions on the protection of civilians

Report of the Office of Internal Oversight Services

"Overall, missions have made progress in incorporating information related to the protection of civilians into their performance reports, but more needs to be done to realize the full potential of performance reporting, particularly for civilian conflict-related deaths and conflict-related sexual violence (including rape)"

Summary

The Office of Internal Oversight Services (OIOS) conducted a review of reporting by seven peacekeeping missions mandated to protect civilians as demonstrated through their annual budget performance reports. The missions reviewed were the United Nations Interim Force In Lebanon (UNIFIL), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)/United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Mission in Liberia (UNMIL), the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Mission in the Sudan (UNMIS) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Given the numerous issues associated with the protection of civilians and the need for a focused report, the reports of the Secretary-General on the protection of civilians in armed conflict and his mission-specific reports to the Security Council were outside the scope of the review, except for the limited purpose of comparing civilian deaths in a sample of mission-specific reports with those in performance reports.

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The protection of civilians has emerged as an important thematic issue since the Security Council first mandated a mission to protect civilians in 1999. Since then, the Council has given sustained attention to this issue. Over the years, and especially starting in 2009, both the Council and the Secretary-General have emphasized the importance of benchmarks, monitoring and reporting for peacekeeping missions implementing protection-of-civilians mandates.

Overall, the Department of Peacekeeping Operations/Department of Field Support have taken concrete steps to support the efforts of missions to implement protection-of-civilians mandates. Guidance has been issued to reduce the different understandings of the issue as well as to address related planning needs. However, the Department of Peacekeeping Operations/Department of Field Support have not issued guidance for reporting on this subject within the results-based-budgeting framework.

Since 1999, missions have made considerable progress in incorporating information related to the protection of civilians into their performance reports, although this has been uneven and, likely, influenced by the missions' specific contexts and challenges. Since the protection of civilians is a whole-of-mission effort, information on the subject is dispersed throughout performance reports, and it is rarely presented as a stand-alone activity.

The analysis demonstrated that four missions (MONUC/MONUSCO, MINUSTAH, UNAMID and UNOCI) included "deaths" as indicators of achievement in their performance reports, while defining accomplishments as a reduction in such deaths. Three missions (MONUC, MINUSTAH and UNMIS) explicitly included sexual violence as measures, but did so inconsistently. UNOCI and MONUC/MONUSCO included "threats" and MINUSTAH used "kidnapping" as indicators of achievements. The inconsistent and intermittent use of various violence-related indicators among missions, and even at the same mission, suggests that there is an untapped potential for strategic thinking in mainstreaming and measuring efforts for the protection of civilians, both within the Department of Peacekeeping Operations/Department of Field Support at Headquarters as well as at the mission leadership level.

Analysis also indicated apparent inconsistencies in the number of civilian deaths reported in a sample of performance reports when compared to the number reported in the mission-specific reports of the Secretary-General for the same period. The Department of Peacekeeping Operations/Department of Field Support noted that the inconsistencies were due to the fact that budget performance reports and mission-specific reports of the Secretary-General are fundamentally different reporting mechanisms: mission-specific reports provide the Security Council with an understanding of the situation in a country from a broader, more analytical standpoint whereas budget performance reports monitor mission performance. However, there was no clarification as to the differing metrics in different reports for different audiences, and these apparent discrepancies may cast doubt on the accuracy of numbers that are produced in either set of documents.

Overall, while missions have made progress in incorporating information on the protection of civilians into their performance reports, more needs to be done to realize the full potential of performance reporting, particularly for civilian deaths and conflict-related sexual violence (including rape).

OIOS made three recommendations, that the Department of Peacekeeping Operations in consultation with the Department of Field Support should:

(a) Issue guidance on the inclusion of information on the protection of civilians in results-based-budgeting frameworks for peacekeeping missions;

(b) Ensure the consistent and quantified use of "conflict-related civilian deaths" and "conflict-related sexual violence" (including rape) as indicators of achievement in the performance reports, as appropriate to the protection-of-civilians scenario faced by all missions with a mandate to protect civilians;

(c) Consider addressing the issue of inconsistencies in the reporting of the number of civilian conflict-related deaths in performance reports and mission-specific reports of the Secretary-General.

The Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict indicated its overall satisfaction with the recommendations to include actions to address sexual violence as a performance benchmark for relevant peacekeeping operations.

The Department of Peacekeeping Operations/Department of Field Support agreed with recommendation 1, but did not accept recommendation 2. Its central concern was that the recommendation asserted "causality". This concern is misplaced, however, as the OIOS report explicitly states that "an increase in civilian deaths does not necessarily mean a mission has been ineffective". As regards recommendation 3, the Department of Peacekeeping Operations/Department of Field Support agreed that there should be greater consistency in the identification and use of indicators, but did not believe that it would be feasible to reconcile the statistics on civilian conflict-related deaths presented in the performance reports and the mission-specific reports, nor would the effort expended in attempting to achieve such reconciliation enhance the implementation of protection-of-civilians mandates. The Department of Peacekeeping Operations/Department of Field Support preferred that, should the recommendation remain, it be categorized as "suggested" rather than "important".

Contents

		Page
I.	Introduction	6
II.	Objective, scope and methodology	6
III.	Background	8
IV.	Results	11
	A. The Department of Peacekeeping Operations/Department of Field Support have issued guidance to missions to support a common understanding of the concept of the protection of civilians and related planning but have not issued guidance for performance reporting on civilian protection within the results-based-budgeting framework	11
	B. Missions have made progress in incorporating information related to the protection of civilians into their performance reports, but this has been uneven and, likely, influenced by the missions' specific contexts and challenges	12
	C. Since the protection of civilians is a "whole-of-mission" effort, information on it is dispersed throughout performance reports	13
	D. Missions included a variety of indicators that were linked to violence, including civilian deaths and sexual violence, but such use was inconsistent and intermittent across and within missions	14
	E. There were apparent inconsistencies in the number of deaths reported in budget performance reports and in the mission-specific reports of the Secretary-General	16
	F. There is room for improvement in how "external factors" included in performance reporting can be used to support accurate reporting	18
V.	Conclusion	19
VI.	Recommendations	21
Annex		
I.	Elements of civilian protection mandates for the peacekeeping missions reviewed	23
II.	Violence-related indicators of achievement used by peacekeeping missions with civilian protection mandates from 2003 to 2011	24
III.	Examples of "proximate" or "supportive" outputs in civilian protection reporting by missions	26
IV.	Comments received from the Department of Peacekeeping Operations and the Department of Field Support	27

Abbreviations

MINUSTAH	United Nations Stabilization Mission in Haiti
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMID	African Union/United Nations Hybrid Operation in Darfur
UNAMSIL	United Nations Mission in Sierra Leone
UNIFIL	United Nations Interim Force in Lebanon
UNISFA	United Nations Interim Security Force for Abyei
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in the Sudan
UNMISS	United Nations Mission in South Sudan
UNOCI	United Nations Operation in Côte d'Ivoire

I. Introduction

1. The Office of Internal Oversight Services (OIOS), in collaboration with the Department of Peacekeeping Operations/Department for Field Support, carried out a review of how missions with a protection-of-civilians mandate reported on it in their annual budget performance reports to the General Assembly within the larger framework of results-based budgeting.

II. Objective, scope and methodology

Objective

2. The objective of the review was to determine how missions with protection-of-civilians mandates reported on progress in the implementation of this task in their performance reports, as the issue has been given sustained attention by the Security Council, the General Assembly, the Secretary-General and by other organizations in the United Nations system. Overall, it was viewed as important and a potential risk by OIOS, because the quality of reporting on the protection of civilians by missions can assist Member States and the Department of Peacekeeping Operations/ Department of Field Support at Headquarters to assess progress in this critical area, as well as to support the efforts of missions to implement their mandates in this area, utilizing an evidence-based approach.

Scope

3. Reporting on the protection of civilians in armed conflict is undertaken through three means: (a) the budget performance reports for each mission; (b) the thematic reports of the Secretary-General on the subject to the Security Council; and (c) the reports of the Secretary-General on each mission to the Council (mission-specific reports). The scope of the present review is limited to budget performance reports from 2001-2011; prior to that period results-based budgeting was not utilized at the United Nations. The review included the following missions, which have a civilian protection mandate: the United Nations Interim Force In Lebanon (UNIFIL), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)/United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Mission in Liberia (UNMIL), the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Mission in the Sudan (UNMIS) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Together, these missions' personnel account for 85 per cent of the total peacekeeping personnel working in the Department of Peacekeeping Operations/Department of Field Support worldwide. The United Nations Mission in South Sudan (UNMISS) and the United Nations Interim Security Force for Abyei (UNISFA) were excluded from the review as they have yet to produce results-based-budgeting reports.

4. For the purpose of the present review, the range of mission activities relevant to the protection of civilians is based on the Department of Peacekeeping Operations/Department of Field Support operational concept on the protection of civilians in United Nations peacekeeping operations (2010), which envisages

protection through three, non-hierarchical tiers: political processes; protection from physical violence; and the establishment of a protective environment.

Methodology

5. The review included a content analysis of the budget performance reports for UNIFIL,[1] MONUC/MONUSCO,[2] UNMIL,[3] UNOCI,[4] MINUSTAH,[5] UNMIS[6] and UNAMID[7] and of a sample of mission-specific reports of the Secretary-General to the Security Council for the limited purpose of comparing data on civilian deaths contained in them with the data reported in mission performance reports for the period 1 July 2009 to 30 June 2011.

6. Other relevant documents reviewed included those pertaining to the protection of civilians, such as Security Council resolutions, reports of the Secretary-General, recent documents issued by the Department of Peacekeeping Operations/Department of Field Support and the Office for the Coordination of Humanitarian Affairs, documentation on results-based budgeting and other budget guidance.

7. OIOS also shared the draft report with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. The definition of conflict-related sexual violence used was approved by the steering committee of the United Nations Action against Sexual Violence in Conflict in May 2011.[8] According to that definition, conflict-related sexual violence refers to incidents or patterns of sexual violence, including rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity, against women, men, girls or boys.[9]

8. The scope of review did not include the following:

(a) The effectiveness of missions in protecting civilians;

(b) An analysis of reporting through the reports of the Secretary-General to the Security Council on the subject of protection of civilians in armed conflict;

(c) An analysis of reporting through the mission-specific reports of the Secretary-General.

9. OIOS consulted with the Department of Peacekeeping Operations/Department of Field Support at key points during the review and the Office is appreciative of the

[1] A/66/582, A/65/608, A/64/542, A/63/520, A/62/632, A/61/829, A/60/629, A/59/626, A/58/637 and A/57/662.

[2] A/66/652, A/65/682, A/64/583, A/63/563, A/62/737, A/61/672, A/60/669, A/59/657, A/58/684 and A/57/682.

[3] A/66/602, A/65/620, A/64/601, A/63/588, A/62/648, A/61/715, A/60/645 and A/59/624.

[4] A/66/616, A/65/615, A/64/584, A/63/610, A/62/642, A/61/673 and A/60/630.

[5] A/66/658, A/65/703, A/64/554, A/63/549, A/62/631, A/61/741 and A/60/646.

[6] A/66/608, A/65/630, A/64/566, A/63/604, A/62/749, A/61/689 and A/60/626.

[7] A/66/596, A/65/631, A/64/579 and A/63/535.

[8] See http://www.stoprapenow.org/about/for information about United Nations Action against Sexual Violence in Conflict.

[9] This definition, which is used for the purpose of standardizing reporting through the monitoring, analysis and reporting arrangements, does not treat conflict-related sexual violence as synonymous or interchangeable with gender-based violence, violence against women, harmful traditional practices such as female genital mutilation, sexual exploitation and abuse or "survival sex".

cooperation and assistance received. The response of the Department of Peacekeeping Operations/Department of Field Support to the final report is contained in annex IV (paras. 1-12) to the present report.

10. **Limitations**: the results of the review are primarily relevant to the budget performance reports on missions, extending to the mission-specific reports of the Secretary-General only with regard to the issue of reporting on civilian deaths.

III. Background

11. In 1999, the Security Council, in its resolution 1265 (1999), addressed the protection of civilians as a thematic issue for the first time. In the same year, the United Nations Mission in Sierra Leone (UNAMSIL) become the first peacekeeping mission mandated by the Council to "take the necessary action ... within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence" (Security Council resolution 1270 (1999), para. 14). This language became the template for all missions with mandates for the protection of civilians. Expert opinion regards that language as indicative of the core intent of the Council in dealing with the multiplicity of protection-related issues as it has been included in all protection-of-civilians mandates.

12. The Security Council's mandate to UNAMSIL to protect civilians was a decisive precedent. Since then, the Council has mandated 10 peacekeeping operations to undertake this critical task. Currently, 8 out of a total of 16 missions have civilian protection mandates.

13. In all cases, the protection of civilians remains the primary responsibility of the host Government. A mission's responsibilities for the protection of civilians are also qualified by caveats that reflect and uphold the principles of United Nations peacekeeping, namely, the consent of the host Government and the main parties to the conflict, impartiality and the non-use of force except in self-defence and defence of the mandate (see annex I for the different elements of the protection-of-civilians mandates for the peacekeeping missions reviewed).[10]

14. The effective implementation of civilian protection mandates by peacekeeping missions is critical, as they are generally the only international entity responsible for playing a direct role in the provision of protection from physical violence. In that regard, they have a unique responsibility among actors in the peacekeeping process. The protection of civilians is inextricably linked with the founding principles of the United Nations and, consequently, the Organization runs a high risk if its actions in this domain are perceived, rightly or wrongly, to fall short of its declared intentions.

15. Within the overall context of addressing various issues related to the protection of civilians, the Security Council, the Secretary-General, the Special Committee on

[10] See annex I and the Department of Peacekeeping Operations/Department of Field Support lessons learned note on the protection of civilians in United Nations peacekeeping operations: dilemmas, emerging practices and lessons, and also the Department of Peacekeeping Operations/Department of Field Support operational concept on the protection of civilians in United Nations peacekeeping operations, 2010.

Peacekeeping Operations and other protection actors have emphasized the importance of benchmarks, monitoring and reporting.[11]

16. The Security Council, in its resolution 1894 (2009), reaffirmed "its practice of requiring benchmarks ... to measure and review progress made in the implementation of peacekeeping mandates". Furthermore, it stressed the importance of including "indicators of progress" regarding the protection of civilians in such benchmarks for relevant missions.

17. In 2010, the Secretary-General underlined the "need to systematically monitor, review and report on the protection of civilians in all relevant situations and, moreover, on the role of all relevant actors in the response, including but not limited to peacekeeping missions" (S/2010/579, para. 108). Pursuant to Security Council resolution 1894 (2009), he recommended that peacekeeping operations should develop specific benchmarks against which to measure and review progress in the implementation of mandates to protect civilians (S/2010/579, para. 70). Describing such benchmarks as "fundamental", he also called for "candid reporting to relevant bodies ... on obstacles to and opportunities for progress" (ibid., para. 5).

18. The Special Committee on Peacekeeping Operations called on the Department of Peacekeeping Operations/Department of Field Support to support the operationalization of monitoring, analysis and reporting arrangements on conflict-related sexual violence. An important actor in the civilian protection field, the Office for the Coordination of Humanitarian Affairs, has prepared an aide-memoire for the Security Council concerning issues pertaining to the protection of civilians in armed conflict, including the request that "United Nations peacekeeping and other relevant missions develop benchmarks and indicators of progress regarding the protection of civilians to measure specific developments in the implementation of their protection mandates".[12] Draft indicators under development by the Office for the Coordination of Humanitarian Affairs for use within the United Nations system include categories for civilians killed and sexual violence committed in the context of and associated with the conflict, as well as during the reporting period, disaggregated by sex and age, if possible.

Missions' civilian protection mandates form part of their results-based-budgeting frameworks

19. The performance reports on peacekeeping missions are based on results-based budgeting, a method that has been used in United Nations peacekeeping operations since the 2001-2002 budget as part of a broader, Organization-wide reform initiative to improve the effectiveness of United Nations management. Introduced by the Secretary-General in 1998,[13] its objective was to enhance the focus on outputs and

[11] The protection of civilians has received sustained attention from both the Security Council and the Secretary-General, for example, the Security Council has adopted more than 100 resolutions on the issue and the Secretary-General has issued 10 thematic reports on the protection of civilians in armed conflict from 1999 to 2012, and made 165 recommendations to the Council. The reports of the Secretary-General demonstrate the wide range of subjects falling within the scope of the issue, including the displacement of refugees, disarmament, demobilization and reintegration, mine clearance, human rights and the cross-cutting issue of violence against women and children.

[12] Office for the Coordination of Humanitarian Affairs Policy and Study Series, vol. 1, No. 4, 2011.

[13] See A/53/500 and Add.1 and A/51/950 and Add.1-7.

results achieved. If mandated by the Security Council, the protection of civilians is one of numerous elements that peacekeeping missions incorporate into their results frameworks for planning, measuring progress and improving accountability to the Secretary-General and the Council. Results-based budgeting provides evidence of results of the mission and of other parties involved in the implementation of civilian protection measures. Figure I below provides a logical framework for missions mandated to protect civilians.

Figure I
Simplified logical framework for missions with protection-of-civilians mandates

Inputs	*Outputs*	*Indicators of achievement*	*Expected accomplishment*	*Objective*
• Security Council resolution mandating a mission to protect civilians • Human resources • Budget	• 240 daily patrols by contingent troops in priority areas • 50 company operating bases within priority areas • 365 joint patrols around camps • Mine clearing	• Increase in the total number of joint assessment and protection missions in insecure areas • Reduction in the number of internally displaced persons owing to armed conflicts • Reduction in casualties from accidents caused by mines	• Improved protection of civilians in the country	• Protect civilians from the "imminent threat of physical violence" • Establish a stable security environment

External factors: events and/or conditions that are beyond the control of the mission that can influence its success or failure

- Local parties' consent and cooperation is withdrawn
- Political/security developments that exceed mission capacity and resources

20. The above framework was used to classify the information recorded in mission performance reports into the various constituent components of performance reporting, to determine if meaningful patterns emerged and to draw conclusions, both specific and general.

IV. Results

A. Department of Peacekeeping Operations/Department of Field Support have issued guidance to missions to support a common understanding of the concept of the protection of civilians and related planning but have not issued guidance for performance reporting on civilian protection within the results-based-budgeting framework

21. A marked feature and a challenge in implementing the concept of protection of civilians is that different actors have had very different understandings of the subject. An independent study commissioned by the Department of Peacekeeping Operations and the Office for Coordination of Humanitarian Affairs in 2009 identified gaps in policy guidance, planning and preparedness that fundamentally hampered the implementation of mandates to protect civilians by peacekeeping missions.[14] Internal assessments of the Department of Peacekeeping Operations/ Department of Field Support also noted the "diverse and ad hoc approaches to the protection of civilians that have evolved within missions", and that "a number of missions have operated without a clear vision for the implementation of this task".[15]

22. The Department of Peacekeeping Operations/Department of Field Support have taken concrete steps to address some of the significant gaps identified by the independent study. In 2010, the Departments issued a note on the operational concept on the protection of civilians in United Nations peacekeeping operations in order to present a basic framework for conceptualizing the protection of civilians by United Nations peacekeeping missions. The concept of the implementation of civilian protection was organized into three non-hierarchical, "mutually accommodating" tiers. Each tier has a non-exhaustive list of related tasks that a peacekeeping mission can undertake in order to protect civilians.

23. These activities include: support to the political process; conflict management; support for reconciliation; creating conditions conducive to the delivery of humanitarian assistance; promotion and protection of human rights; addressing displacement issues, including refugees and internally displaced persons; rule of law; security sector reform; disarmament, demobilization and reintegration; mine action to protect civilians from death and physical injuries; child protection; and addressing sexual and gender-based violence. The operational concept does not make any references to reporting.

24. The Department of Peacekeeping Operations/Department of Field Support also issued a framework for drafting comprehensive civilian protection strategies.[16] The framework provides for monitoring and reporting mechanisms, although these are envisaged principally, but not exclusively, in terms of reporting to the Security Council. The omission of any references to reporting on the protection of civilians

[14] See *Protecting Civilians in the Context of United Nations Peacekeeping Operations: Successes, Setbacks and Remaining Challenges* (United Nations publication, Sales No. E.10.III.M.1).

[15] See the Department of Peacekeeping Operations/Department of Field Support operational concept on the protection of civilians in United Nations peacekeeping operations.

[16] See "Framework for drafting comprehensive protection-of-civilians strategies in United Nations peacekeeping operations".

through mission performance reports suggests that their utility for enhancing the effectiveness of missions in this regard may have been overlooked.[16]

25. Lastly, in 2012, in response to a request from the Special Committee on Peacekeeping Operations, the Departments issued a resource and capability matrix for the implementation of United Nations peacekeeping operations with civilian protection mandates. The purpose of the matrix was to assist missions in matching available resources and capabilities with the civilian protection activities they considered necessary and to identify resource and capability gaps in this area. Once identified, they were to be brought to the attention of the Secretariat. The matrix refers solely to the monitoring and reporting of civilian protection risks.

26. Overall, responses received from selected integrated operational teams and the action contents of the framework for drafting comprehensive protection-of-civilians strategies suggest that there are no specific instructions for reporting on the protection of civilians in mission performance reporting. Furthermore, the guidance that does exist in results-based budgeting is neither explicit nor separate, and civilian protection is treated as one of many in the dossier of subjects and issues that a mission must deal with. This does not rule out the possibility of ad hoc frameworks developed for reporting on the protection of civilians at the time of a mission's establishment. In its response, UNAMID noted that there was a tendency to use the previous results-based-budgeting report as a starting point and to update it, as required.

B. Missions have made progress in incorporating information related to the protection of civilians into their performance reports, but this has been uneven and, likely, influenced by the missions' specific contexts and challenges

27. Since the introduction of the first mandate on the protection of civilians in 1999, and despite the lack of guidance for performance reporting on the subject until recently, there has been considerable progress in incorporating reporting on civilian protection in performance reports, including in narratives (which expand, inter alia, on the performance of a mission's mandate and on each of its components), expected accomplishments, indicators of achievement and outputs.

28. However, reporting on the protection of civilians varies between missions, depending on the country-specific challenges they face in carrying out this mandate. Consequently, the depth and frequency of information on civilian protection in mission performance reports is a function of the severity of the protection-of-civilian challenges they face on the ground. The mandate alone is not necessarily a sufficient trigger to ensure that information on the protection of civilians will automatically appear in a performance report.

29. MONUSCO was the only mission that explicitly included "protection of civilians" in its expected accomplishments (A/66/652, expected accomplishment 1.1).[17] It also had the highest number of references to the specific term "protection of

[17] Furthermore, in its resolution 1856 (2008), the Security Council stipulated that the Mission place the highest priority on the protection of civilians, including humanitarian personnel, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict.

civilians" in its performance reports. The most direct and detailed reference to protection of civilians was found in the MONUSCO performance report for 2010-2011, which drew a clear link between protection of civilians "through a range of actions including joint military operations, joint assessment missions and ensuring security conditions for the return of internally displaced persons and refugees, stabilization of sensitive areas and disarmament and demobilization of the former combatants" (ibid., para. 14).

Table 1
Number of references to the "protection of civilians" in mission performance reports

MONUSCO/ MONUC 2001-2012	*UNMIS 2004-2011*	*UNAMID 2007-2010*	*UNOCI 2004-2011*	*UNMIL 2003-2011*	*MINUSTAH 2004-2010*	*UNIFIL 2006-2011*
21	18	17	5	2	1	0

Source: OIOS content analysis for the term "protection of civilians" in budget performance reports for the periods 2001-2011.

Note: Mission mandates for the protection of civilians vary according to their year of establishment.

30. OIOS was informed that, for UNIFIL, the civilian protection element of its mandate did not appear in its performance reports, nor had it been translated into its "objective", "expected accomplishments" or "indicators of achievement". While the mission was developing a civilian protection strategy, there were currently no activities, expected accomplishments or performance indicators to report on. Overall, while missions may not use the term "protection of civilians", they are, in fact, reporting on these activities in their performance reports in many other substantive ways.

C. Since the protection of civilians is a "whole-of-mission" effort, information on it is dispersed throughout performance reports

31. The review demonstrated that reporting on the protection of civilians as a "stand alone" activity or a separate category is challenging because under the three-tier conceptual framework established by the Department of Peacekeeping Operations/ Department of Field Support the protection of civilians involves nearly all functions of a mission, including its political, military police, human rights, gender, civil affairs, child protection, demining and humanitarian affairs elements. All of these functions generate information on civilian protection, both quantitative and qualitative, which is dispersed in performance reports. Furthermore, this information may not be phrased using "protection-of-civilian terminology", making it less immediately recognizable as such. In essence, these activities are cross-cutting in purpose but task-specific in nature. Consequently, dispersed reporting of civilian protection activities in a performance report may be inherently difficult to avoid.

32. To elaborate, reporting on the protection of civilians was located under mission components with different frameworks, including "military", "peace and security", "human dimension of sustainable peace", "humanitarian assistance and human rights", "civil society and human rights", and "transitional process". As a

result, such reporting did not appear discretely in all parts of results-based-budgeting frameworks (inputs, outputs, indicators of achievement, expected accomplishments and objectives), but appeared, primarily, in outputs, and occasionally under indicators of achievement, for example:

(a) "Increase of the number of the total joint assessment and protection missions to insecure areas" and "zero violations of the cease fire agreement" given as indicators of achievement;

(b) "Patrols", "troop-protection days" and "protection working group meetings" given as outputs.

33. Reporting protection-of-civilians outputs by individual missions fell into two categories: "proximate" or "supportive" outputs. When delivered, proximate outputs, such as fixed and mobile checkpoints, foot, air reconnaissance and boat patrols, can directly, although not invariably, protect civilians under imminent threat of physical violence. Conversely, supportive outputs, when delivered, do not directly protect civilians under imminent threat of physical violence. Examples of supportive outputs included the implementation of sensitization and social mobilization activities, including seminars, for vulnerable groups in violence-affected areas (see annex III for more examples). Missions also reported using quantified and non-quantified information on the various types of assistance rendered to civilians, for example, providing relief and accommodation, preventing hostile attacks and providing protection and shelter.

34. The Department of Peacekeeping Operations stressed that the reference to the protection of civilians under a number of different areas is itself an indication that this mandated task has been mainstreamed.

D. Missions included a variety of indicators that were linked to violence, including civilian deaths and sexual violence, but such use was inconsistent and intermittent across and within missions

35. Given the high incidence and the broad dispersal of references to civilian protection activities throughout performance reports, lacking any identifiable pattern, OIOS analysed selected violence-related indicators, two of which were given the highest priority: conflict-related civilian deaths; and conflict-related sexual violence (including rape). Such indicators on deaths and sexual violence have the closest link to the mandate to "protect civilians from the imminent threat of physical violence", an element that the Security Council has repeatedly emphasized and indicated as its core intent in assigning successive mandates for the protection of civilians. When such indicators are widespread and egregious, they challenge the declared aims of a peacekeeping mission and may lead to doubts and scepticism about its effectiveness. They are widely used by the media and the public to measure the intensity of a conflict and the extent of human suffering. OIOS identified civilian deaths, sexual violence and other violence-related indicators, and performance reports were analysed using terms that reflected these indicators.[18]

[18] This was done by isolating various terms, including "death", "protection of civilians", "imminent threat", "physical violence", "sexual violence" and "gender-based violence".

1. Four missions included number of "deaths" when reporting on the protection of civilians in their performance reports

36. With respect to protecting civilians under "imminent threat of physical violence", UNOCI, MONUC/MONUSCO and MINUSTAH included "death" and "casualties" as indicators of achievement in their performance reports. The types of death they sought to measure included death while in prison detention (UNOCI and MONUC), death due to mines and unexploded ordnance (UNAMID and MONUSCO) and "wrongful death" (MINUSTAH). All three missions defined achievement as a reduction in the number of such deaths (see annex II).[19]

2. Three missions included "sexual violence" as indicators of achievement, but did so inconsistently over time

37. MONUC, MINUSTAH and UNMIS explicitly used the term "sexual violence" in their indicators of achievements, but did not do so consistently over time. MONUC used it only from 2003 to 2005. Its indicator of achievement was formulated as a "reduction in sexual violence", but it was not quantified. MINUSTAH used it once in the 2005-2006 period. Its indicator was formulated "as 10 per cent reduction in reported acts of violence, including sexual violence against women and girls, compared with 2004-2005". UNMIS regularly used it from 2005 to 2011, but its indicators changed from year to year and also included reporting by the Government. UNAMID and UNOCI did not track sexual violence as a formal indicator but made reference to this in an aggregated manner. UNFIL and UNMIL did not use this indicator.

3. Three missions included "threats" to the civilian population or "kidnapping" as indicators of achievement in their performance reports

38. Three missions, UNOCI, MONUC/MONUSCO and MINUSTAH, also included other violence-related indicators of achievements; UNOCI and MONUC/MONUSCO used "threats" and MINUSTAH used "kidnapping" as indicators.

39. UNOCI was the most consistent in doing so, starting in 2005 until 2011. Its indicator was formulated as "no reports of armed groups non-signatories to the comprehensive ceasefire agreement of 3 May 2003 threatening the civilian population". On the other hand, MONUC used this measure from 2003 to 2005. One indicator was formulated as "zero reports of armed groups threatening civilian population". The other was a "reduction in number of civilians under imminent threat of physical violence" (A/59/657, expected accomplishment 1.1).

40. MINUSTAH consistently included "kidnapping" as an indicator of achievement, starting in 2006 until 2011. In the 2010-2011 period, for example, it was formulated as "40 per cent reduction in the number of kidnappings reported in Port-au-Prince in 2010-2011, compared to 57 cases reported in 2009-2010 and 130 cases reported in 2008-2009".

41. MONUSCO, UNMIS, UNAMID, UNOCI and MINUSTAH also included and quantified other violence-linked indicators of achievement. These included, for example, "decrease in reported incidents of armed conflict", "increase in the number of joint assessment missions to insecure areas", "reduction in the total number of

[19] Missions also used the number of mine-related casualties as indicators.

internally displaced persons due to armed violence", "increase in the number of cases of sexual violence prosecuted" and "decrease in reported human rights abuses carried out by the national armed forces".

42. The inconsistent and intermittent patterns in the use of various violence-related indicators among missions and even in the same mission (all of which faced challenging protection-of-civilian scenarios), suggest that there is untapped potential for a strategic approach in mainstreaming and measuring the protection of civilians, both at the Department of Peacekeeping Operations/Department of Field Support at Headquarters and within mission leadership.

4. References to coordination by peacekeeping missions with other United Nations actors on the issue of the protection of civilians are on the rise

43. While references to the protection of civilians in the narratives of budget performance reports were varied and context-specific, there were increasing references to coordinated action with other United Nations actors, including United Nations country teams, on this issue. Such references occur in the narratives of the budget performance reports of UNAMID, UNMIS, UNOCI and MONUSCO. Actions in this regard concerned a broad range, including: improving humanitarian access in partnership with the Office for Coordination of Humanitarian Affairs (A/66/596, para. 9); collaboration between UNAMID, the United Nations country team and the Government of the Sudan to "focus on the issue of water as an instrument to ensure peace and the protection of civilians in the region, and to raise funds for water-related projects in Darfur" (ibid., para. 42); the establishment of a humanitarian liaison mechanism "to ensure an adequate exchange of information between UNAMID and United Nations agencies, programmes, and funds" (A/63/535, para. 37); an action plan between UNAMID and the United Nations country team for the protection of civilians (ibid., para. 38); the transfer of infantry companies and helicopters from UNMIL to UNAMID during the post-electoral crisis in Côte d'Ivoire (A/66/616, para. 21); and MONUSCO furthering integration efforts with the United Nations country team in an effort to reinforce the United Nations system-wide strategy for the protection of civilians (A/66/652, para. 27).

E. There were apparent inconsistencies in the number of deaths reported in budget performance reports and in the mission-specific reports of the Secretary-General

44. A comparison of the number of conflict-related civilian deaths in a sample of performance reports for selected missions along with civilian deaths reported in the mission-specific reports of the Secretary-General for the same missions for approximately the same time period demonstrated apparent discrepancies in the reported number of civilian deaths. In all cases, more deaths were reported in the mission-specific reports of the Secretary-General, with the exception of MINUSTAH. For MINUSTAH, the deaths reported in the performance report were listed under "wrongful deaths" (murders and lynching) and those reported in the mission-specific report were listed under "mob attacks" and "killings of minors". Neither document referenced the deaths cited in the other document, that is, the

performance report did not cite the deaths noted in the mission-specific report of the Secretary-General and vice versa.[20]

45. The Department of Peacekeeping Operations/Department of Field Support noted that budget performance reports and the mission-specific reports are fundamentally different. According to the Departments, the mission-specific reports are meant to give the Security Council an understanding of the situation in a country from a broader, more analytical standpoint, including not only the mission's efforts but also the political process, security situation and the humanitarian landscape. Performance reports, on the other hand, are about monitoring mission performance and whether or not specific objectives with respect to the implementation of Security Council mandates have been met. By way of example, the Departments stated that the number of casualties from unexploded ordnance over a reporting period might be relevant in the context of the results-based budgeting, but not in the report of the Secretary-General. However, there were reported incidences where the mission-specific reports refer to deaths by unexploded ordnance, for example in the report on UNAMID of 16 November 2009 (S/2009/592, para. 55).

46. This explanation overlooks the fact that since both the mission-specific reports and the performance reports deal with protection-of-civilians issues, they must, despite their different purpose, be consistent, especially on the important issue of number of civilian deaths.

47. Furthermore, the explanation of the Departments does not clarify why the metrics would be different for different audiences (the Security Council for the reports of the Secretary-General and the Fifth Committee for the budget performance reports) and may cast doubt on the accuracy of numbers that are produced in either set of documents. Both audiences of the reports have emphasized the importance of benchmarks, monitoring and reporting on the protection of civilians, and consistency in this regard should be a basic standard. It is also not clear why the Department of Peacekeeping Operations/Department of Field Support would exclude the number of casualties from unexploded ordnance over a reporting period from the mission-specific reports if the intention is to report broadly on deaths from conflict-related violence. Deaths from unexploded ordnance clearly fall within the scope of the protection of civilians as defined by the Departments.

Table 2
Figures on civilian deaths as reported in the mission-specific reports of the Secretary-General and in budget performance reports

Mission	*Budget performance report*	*Mission-specific report*
UNIFIL	0	8
UNMIL	0	0
MINUSTAH	383	26
MONUSCO	264	585
UNOCI	3 154	3 268

[20] OIOS notes, however, that during this period, the Mission's efforts were focused on dealing with the aftermath of the devastating earthquake of 2010.

Mission	*Budget performance report*	*Mission-specific report*
UNAMID	54	404
UNMIS	102	334

Source: OIOS content analysis of deaths reported in the mission-specific reports of the Secretary-General and in budget performance reports for the period from 1 July 2009 to 30 June 2011 for the above-referenced missions.

Note: A conservative approach was employed in calculating the total number of civilian deaths reported in the mission-specific reports and in the performance reports. The following types of deaths were excluded from both reports: deaths attributed to disease and natural disasters; combatant deaths between armed actors (such as those stemming from tribal warfare); and deaths that were reported when conflated with other violent incidents, such as kidnappings, clashes, or rapes, as the precise number of deaths could not be disaggregated. Consequently, given the methodological challenges, these figures are approximate. The documents analysed include: S/2010/105; S/2010/406; S/2010/88; S/2010/429; S/2011/497; S/2011/540; S/2011/183; S/2011/20; S/2010/164; S/2009/623; S/2009/472; S/2011/20; S/2011/298; S/2010/512; S/2011/656; S/2011/807; S/2010/15; S/2011/211; S/2010/600; S/2009/495; S/2011/211; S/2010/600; S/2011/387; S/2010/245; S/2011/244; S/2011/22; S/2010/50; S/2010/382; S/2010/213; S/2011/422; S/2010/543; S/2009/592; S/2009/545; S/2010/31; S/2010/168; S/2010/388; S/2010/528; S/2010/681; S/2011/239.

F. There is room for improvement in how "external factors" included in performance reporting can be used to support accurate reporting

48. The Department of Peacekeeping Operations/Department of Field Support noted that there are a number of factors that are beyond a mission's control in terms of protecting civilians in the mission area, which will not be adequately reflected through quantitative metrics in the budget performance report, including the proliferation of armed groups with the intent of harming civilians and the capacity of the host authorities (who bear the ultimate responsibility for the protection of civilians) to respond to the protection-of-civilians issues. To that extent, using strictly quantitative measures for the performance by a mission of its civilian protection mandate would not reflect the host of other issues that influence threats of physical violence to civilians.

49. In this regard, it is pertinent that performance reports allow for "external factors", which are events and/or conditions that are beyond the control of a mission but have an influence on the success and failure of the operation. Under budget performance reporting, the main criterion that missions are required to satisfy is to make a plausible claim of having contributed towards the desired accomplishments. Performance reporting does not require that only successful efforts should be reported. OIOS recognizes that the occurrence of heinous incidents can increase despite the best efforts of a mission. Setbacks are common if not inherent in peacekeeping operations. An increase in civilian deaths does not necessarily mean that a mission has been ineffective. Similarly, an increase in reports of sexual violence may also be the result of successful efforts by a mission to sensitize civil society, or of increased access by victims to services that address such incidences.

50. In addition, actual mission practice demonstrates that missions routinely report when external factors have negatively affected the achievement of their expected

accomplishments. For example, the performance report of MONUC for the 2009-2010 period recorded an increase in human rights violations and attributed this to "continued military operations, worsening conflicts and the increased reporting of human rights violations resulting from sensitization of civil society" (see A/65/682, expected accomplishment 3.1). Conversely, external factors also provide missions with the opportunity to demonstrate success, even though there may be challenging circumstances which are out of the mission's control.

51. OIOS notes that when qualitative narrative and quantitative tabulation are used together, and candidly take into account external factors, performance reports may assist missions to accurately understand, adapt and respond to changing civilian protection scenarios.

V. Conclusion

52. In the more than 12 years since the issuance of the first mandate for the protection of civilians, reporting on the issue by peacekeeping missions through their budget performance reports has become progressively embedded. The Department of Peacekeeping Operations/Department of Field Support have actively supported the civilian protection efforts of missions in a number of ways. Overall, missions have made progress in incorporating information related to the protection of civilians into their performance reports, but more needs to be done to realize the full potential of performance reporting, particularly for civilian conflict-related deaths and conflict-related sexual violence (including rape). Moreover, gaps have emerged that will require continued leadership from the Departments in order to ensure a strategic direction on this fundamental mandate.

53. It is notable that some missions, by using civilian deaths and sexual violence as indicators of achievement, have pioneered the way to better reporting on the protection of civilians. As mentioned above, UNOCI, MONUC/MONUSCO and MINUSTAH have used "deaths" as indicators of achievement. Their use of this indicator now needs to be broadened to other missions, if appropriate to their context.[21] Consistent reporting of civilian deaths, which can assist in data consolidation within a mission and the exchange of data with other United Nations protection-related actors, is essential in an integrated mission environment. The number of civilian deaths is also relevant to benchmarks that relate to the restoration of a stable and secure environment. Realizing their importance, in 2012 the Secretary-General stated in his report to the Security Council on the protection of civilians in armed conflict that the "need for improved recording of casualties is gaining increased attention" (S/2012/376, para. 28). Pertinently, draft indicators for the United Nations system under development by the Office for the Coordination of Humanitarian Affairs[22] include a category for the number of civilians killed in the context of a conflict during a given reporting period.

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[21] OIOS recognizes that collecting reliable data on civilian deaths in peacekeeping environments is difficult, but notes that efforts in this direction are under way in the United Nations system.

[22] Draft indicators for the protection of civilians are being developed by the Office for the Coordination of Humanitarian Affairs, based on consultations with the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special

54. Of equal importance is the issue of conflict-related sexual violence. Here too, as is the case with civilian deaths, a precedent and good practice exists, as three missions (MONUC, MINUSTAH and UNMIS) have used sexual violence, albeit inconsistently, as an indicator of achievement in their performance reports. A bolder, more focused approach is required. While accurately ascertaining that the incidence of sexual violence in armed conflict is subject to many variables, including social and cultural factors, the 2012 report of the Secretary-General on conflict-related sexual violence (A/66/657-S/2012/33) demonstrates that quantification of sexual violence (including rape) is possible, and that it is already taking place, for example at MONUSCO. Furthermore, the draft indicators currently under preparation within the United Nations system, led by the Office for the Coordination of Humanitarian Affairs, include the category "Number of reported incidents of sexual violence committed in the context of and associated with the armed conflict during the reporting period". The inclusion of sexual violence (including rape) as an indicator at missions where their occurrence has been a matter of documented international concern would be fully aligned with the intention of the Security Council in protecting civilians, specifically in its cross-cutting resolution 1325 (2000) on women and peace and security and in its resolution 1960 (2010), which ushered in new monitoring, analysis and reporting arrangements on conflict-related sexual violence.

55. As mentioned above, OIOS shared the draft of the present report with the Special Representative of the Secretary-General on Sexual Violence in Conflict. While the office did not have any formal comments on the report, it indicated its overall satisfaction with the recommendations that actions to address sexual violence be included as a performance benchmark of relevant peacekeeping operations.

56. Leadership is also required to enhance the overall utility of performance reporting for civilian protection purposes, including its qualitative element. For example, accurate and insightful narratives in the budget implementation section of performance reports can throw important light on the achievements of missions in implementing their mandates for the protection of civilians, including significant challenges and issues encountered. Such balanced reporting could be of great utility to Member States and the Department of Peacekeeping Operations/Department of Field Support at Headquarters, which are critically dependent on the accuracy and comprehensiveness of reporting from the field for exercising their governance and/or management functions.

57. In 1999, the Secretary-General stated that the protection of civilians is fundamental to the central mandate of the United Nations. This remains as true today as it was then. As civilians continue to suffer in armed conflict in myriad ways, it is incumbent upon the Organization to monitor and report as accurately as possible on their safety and security, so that all necessary efforts can be made to better protect them. Optimizing performance reporting for missions implementing protection-of-civilians mandates would be one such essential step.

Representative of the Secretary-General on Sexual Violence in Conflict and non-governmental organizations.

VI. Recommendations

58. While the Department of Peacekeeping Operations/Department of Field Support agreed with recommendation 1, it did not, however, accept recommendation 2, stating that it appeared to prejudge the development of guidance called for in recommendation 1. It considered that recommendation 2 asserted causality as: the number of reported conflict-related deaths and instances of conflict-related sexual violence/rapes may not be attributable to the actions of a peacekeeping mission, nor necessarily reflective of mission failure or success; that conflict-related deaths may be the result of a wide range of causes not addressed by a peacekeeping mission's mandate to protect civilians; that an analysis based solely on these indicators could lead to the erroneous conclusion that the mission had failed (or succeeded) in protecting civilians and that many factors beyond a mission's control, which may be impossible to reflect adequately through quantitative metrics in results-based-budgeting performance reports, affect its ability to protect civilians; and that Host States bear the primary responsibility for the protection of civilians. While OIOS appreciates the merits of these arguments, it remains convinced that conflict-related civilian deaths and instances of sexual violence are meaningful indicators that warrant monitoring and reporting.

59. With regard to recommendation 3, the Department of Peacekeeping Operations/Department of Field Support agreed that there should be greater consistency in the identification and use of indicators, but the Departments did not find it feasible to reconcile the statistics on civilian conflict-related deaths presented in the performance reports and in the mission-specific reports of the Secretary-General, nor did they believe that the effort expended in attempting to achieve such reconciliation would enhance the implementation of protection-of-civilians mandates. The Department of Peacekeeping Operations/Department of Field Support preferred that, should the recommendation remain, it be categorized as "suggested" rather than "important".

Recommendation 1

The Department of Peacekeeping Operations, in consultation with the Department of Field Support, should issue guidance on the inclusion of the protection of civilians in results-based-budgeting frameworks for peacekeeping missions (paras. 21-26) [Important recommendation]

Recommendation 2

To ensure the monitoring of the protection of civilians that the Security Council, the Secretary-General and the Special Committee on Peacekeeping Operations have stressed, the Department of Peacekeeping Operations, in consultation with the Department of Field Support, should ensure that missions with civilian protection mandates include the consistent and quantified use of "conflict-related civilian deaths" and "conflict-related sexual violence (including rape)" as indicators of achievement in their performance reports, as appropriate to their protection-of-civilians scenario, for all missions with a civilian protection mandate (paras. 35-42) [Important recommendation]

Recommendation 3

The Department of Peacekeeping Operations, in consultation with the Department of Field Support, should consider addressing the issue of inconsistencies in reporting the number of civilian conflict-related deaths in the performance reports and the mission-specific reports of the Secretary-General (paras. 44-47) [Important recommendation]

(*Signed*) Carman L. **Lapointe**
Under-Secretary-General for Internal Oversight Services
14 March 2013

Annex I

Elements of civilian protection mandates for the peacekeeping missions reviewed

	Security Council resolution and the year of the mandate	*Year established*	*"Protect civilians under imminent threat of physical violence"*	*"Without prejudice to the responsibility of host nation"*	*"Within capabilities and areas of deployment"*	*"All necessary means (or measures/actions)"*	*Protection of civilians as a stated "priority"*
UNIFIL	1701 (2006)	1978	✓	✓	✓	✓	
UNMIL[a]	1509 (2003)	2003	✓	✓	✓		
UNOCI	1528 (2004)	2004	✓	✓	✓	✓	✓
MINUSTAH	1542 (2004)	2004	✓	✓	✓		
UNAMID	1769 (2007)	2007	✓	✓	✓		✓
MONUSCO	1925 (2010)	2010	✓	✓	✓	✓	✓
MONUC[b]	1291 (2000)	1998	✓		✓	✓	
UNMIS[b]	1590 (2005)	2005	✓	✓	✓	✓	

[a] The UNMIL mandate only states "within capabilities", without specifying "areas of deployment" in this context.
[b] The MONUC mandate ended in 2010; the UNMIS mandate ended in 2011.

Annex II

Violence-related indicators of achievement used by peacekeeping missions with civilian protection mandates from 2003 to 2011

		MONUC/ MONUSCO	*UNMIS*	*UNAMID*	*UNOCI*	*UNMIL*	*MINUSTAH*	*UNIFIL*
Civilian deaths	2010-2011	✓						
	2009-2010				✓		✓	
	2008-2009				✓		✓	
	2007-2008				✓		✓	
	2006-2007			N/A	✓			
	2005-2006			N/A			✓	
Sexual violence	2010-2011		✓	✓	✓			
	2009-2010		✓					
	2008-2009		✓					
	2007-2008		✓					
	2006-2007		✓	N/A				
	2005-2006		✓	N/A			✓	
	2004-2005	✓		N/A				
	2003-2004	✓	N/A	N/A	N/A			
Kidnappings	2010-2011						✓	
	2009-2010						✓	
	2008-2009						✓	
	2007-2008						✓	
	2006-2007			N/A			✓	
Threats	2010-2011				✓			
	2009-2010				✓			
	2008-2009				✓			
	2007-2008				✓			
	2006-2007			N/A	✓			

	MONUC/ MONUSCO	*UNMIS*	*UNAMID*	*UNOCI*	*UNMIL*	*MINUSTAH*	*UNIFIL*
2005-2006			N/A	✓			
2004-2005	✓		N/A				

✓ Indicates use of this indicator of achievement.

N/A Indicates the non-existence of budget performance report for a given year, or the non-existence of the mission during that period.

Note: Violence-related indicators in the table appeared in different missions in different years, which accounts for the differences in the range of years depicted.

Annex III

Examples of "proximate" or "supportive" outputs in civilian protection reporting by missions

Proximate	*Supportive*
X number of troop days to provide quick-reaction capacity to prevent and deter the escalation of imminent security threats	Implementation of sensitization and social mobilization activities, including seminars, for vulnerable groups in violence-affected areas
Conduct fixed and mobile checkpoints along major roads and borders and at border crossings	Advice and mentoring to host country entities on the drafting of a national strategy to strengthen the protection-of-civilians; and technical support to implement such a strategy
Patrols: foot; air reconnaissance; boat	Protection cluster meetings in coordination, and orientation by non-governmental organizations on protection concerns; protection training sessions for the Human Rights Section and personnel of non-governmental organizations to build capacity and address human rights issues
Company operating bases within priority areas to monitor and deter attacks against civilians	Coordination meetings on the security of internally displaced persons in camps, involving joint teams of human rights officers, host country police, United Nations police, United Nations military and humanitarian actors
Tasking, monitoring and quality control for clearance and verification of areas contaminated by mines or explosive remnants of war	Meetings on regional and inter-mission cooperation focused on containing cross-border movements of armed groups and operations against the illegal movement of weapons
X number of troop-patrol days (mobile and foot) to identify nomadic migration routes and ensure the safety of migration along such routes by securing fixed/mobile checkpoints, establish and patrol demilitarized zones along humanitarian supply routes and establish and patrol areas of separation and buffer zones between forces in areas of intense conflict	Monitoring and reporting on the protection situation through the identification and analysis of protection gaps and violations, the provision of recommendations and advocacy to and follow-up with national and local authorities and all relevant parties to address those protection issues
Guarantee of free and unhindered movement of persons and goods throughout the country	Joint human rights investigations with the national judiciary to address the prosecution of gross human rights violations

Source: Office of Internal Oversight Services (OIOS) analysis and classification based on reporting on the protection-of-civilians by missions.

Note: Principal characteristic of a "proximate" output: when delivered, a proximate output can directly, but not invariably, protect civilians under imminent threat of physical violence. Principal characteristic of a "supportive" output: when delivered, a supportive output cannot directly protect civilians under imminent threat of physical violence; it does so indirectly.

Annex IV

Comments received from the Department of Peacekeeping Operations and the Department of Field Support

The Office of Internal Oversight Services (OIOS) presents below the full text of comments received from the Department of Peacekeeping Operations and the Department of Field Support on the review contained in the present report (see paras. 1-12 below). This practice has been instituted in line with General Assembly resolution 64/263, following the recommendation of the Independent Audit Advisory Committee. The Departments agreed with recommendation 1 but did not accept recommendation 2. With regard to recommendation 3, the Departments agreed that there should be greater consistency in the identification and use of indicators but they did not find it feasible to reconcile the statistics on civilian conflict-related deaths presented in the performance reports and the mission-specific reports of the Secretary-General, nor did they believe that the effort expended in attempting to achieve such reconciliation would enhance the implementation of protection-of-civilian mandates. The Departments preferred that, should the recommendation remain, it be categorized as "suggested" rather than "important".

Recommendation 2 is based on actual mission examples. Consequently, it identifies and leverages the good practice of certain missions, which is the essence of a learning organization. It does not prejudge the development of guidance called for in recommendation 1. The focus of these two indicators is based on past events that have involved large-scale losses of civilian lives, which strongly suggest that deaths and sexual violence should occupy the highest priority in a mission's efforts to protect civilians. The issue continues to have both immediacy and relevance to the United Nations system.[23] Additionally, it does not preclude the development of other robust and valid indicators, which are not mutually exclusive.

The "central concern" of the Department of Peacekeeping Operations/ Department of Field Support that the report asserts "causality" is misplaced as the report explicitly states that "an increase in civilian deaths does not necessarily mean a mission has been ineffective". OIOS agrees that an analysis based solely on such indicators could lead to erroneous conclusions about a mission's efforts to protect civilians. Recommendation 2 does not preclude analysis of a mission's performance using other relevant indicators. Factors beyond a mission's control that affect its ability to protect civilians can be articulated as "external factors" under performance reporting. While host Governments bear the primary responsibility for the protection of civilians, missions have a role to play by supporting their efforts through the political process as envisaged under the guidance of the Department of Peacekeeping Operations/Department of Field Support.

While OIOS appreciates the merits of concerns of the Departments, it remains convinced that civilian conflict-related deaths and instances of sexual violence are meaningful indicators that warrant monitoring and reporting.

Furthermore, the view of the Advisory Committee on Administrative and Budgetary Questions is relevant to recommendation 3 as the Advisory Committee has stated that, to the extent possible, the General Assembly should be provided with a

[23] Report of the Secretary-General: internal review panel on United Nations actions in Sri Lanka.

comprehensive picture of a particular issue in reports being put forward for its consideration to help avoid redundancies and inconsistencies (A/65/743, para. 16).

Comments received from the Department of Peacekeeping Operations and the Department of Field Support on the review of the reporting by United Nations peacekeeping missions on the protection of civilians

Memorandum dated 8 March 2013 from the Under-Secretary-General for Peacekeeping Operations and the Under-Secretary-General for Field Support

1. Thank you for your memorandum dated 28 February inviting our comments on the draft report of the Office of Internal Oversight Services (OIOS) on the review of the reporting by United Nations peacekeeping missions on the protection of civilians. This report is timely, as it focuses on means for gauging the effectiveness of the tools developed by the Department of Peacekeeping Operations and the Department of Field Support and our peacekeeping missions to implement mandates for the protection of civilians. We are gratified that the report acknowledges the progress achieved to date in developing the concepts and the strategic framework required to manage the complex range of tasks relating to the protection of civilians in the peacekeeping context.

2. The analysis contained in the draft report offers useful insights which we will take into account in our work with missions to enhance monitoring and reporting of their protection-of-civilians efforts and results. We are in general agreement with the draft's conclusion that reporting on protection-of-civilians performance in the context of the results-based-budgeting performance reports can and should be strengthened. Addressing this issue requires a careful and deliberate approach. Given the complexity of mission environments, the differences in their resources and the challenges of capturing reliable data relevant to the wide range of mission efforts towards the central objective of protecting civilians, we have concerns regarding some aspects of the draft report. Please find our detailed comments below.

3. Recommendation 1: the Department of Peacekeeping Operations and the Department of Field Support agree with this recommendation. We undertake to work with our missions to scope the parameters of relevant guidance.

4. Recommendation 2: two different formulations of this recommendation appear in the draft report. In the summary text, recommendation 2 calls on the Department of Peacekeeping Operations, in consultation with the Department of Field Support, to "*consider*" (emphasis added) "consistent and quantified use of conflict related civilian 'deaths' and 'conflict-related sexual violence (including rape)' as indicators of achievement in the performance reports ...". By contrast, the formulation of recommendation 2 appearing within the draft report calls on the Department of Peacekeeping Operations, in consultation with the Department of Field Support, to "*ensure* (emphasis added) ... that missions with protection-of-civilians mandates include the consistent and quantified use of civilian 'deaths' and 'conflict-related sexual violence (including rape)' as indicators of achievement in their performance reports ...". In consultations with the OIOS team during the drafting process, the Department of Peacekeeping Operations and the Department of Field Support accepted the formulation of this recommendation as it appears in the summary,

although at the same time expressing reservations about the concept and methodology. The Department of Peacekeeping Operations and the Department of Field Support would be able to work with recommendation 2 as it appears in the summary. However, we regret that we cannot agree to the latter formulation appearing in the report for several reasons, presented below.

5. The formulation of recommendation 2 in the draft report would appear to prejudge the development of guidance called for in recommendation 1. An immediate objective of such guidance would be to establish valid indicators and consistency in their use. To insist on the two indicators chosen in recommendation 2 would necessarily skew the guidance, potentially eliminating or undermining other valid indicators. Our central concern regarding the formulation of recommendation 2 is that it asserts causality where it may not exist. The number of reported conflict-related civilian deaths and instances of conflict-related sexual violence/rapes may not be directly attributable to the actions of a peacekeeping mission, within the scope of its deployment.

6. The numbers of conflict-related deaths and sexual violence/rapes in a mission area are not necessarily reflective of mission failure *or success* in implementing its protection-of-civilians mandate, nor are they the sole meaningful measurement of the impact of mission efforts in this regard. Conflict-related deaths may be the result of a wide range of causes not addressed by a peacekeeping mission's mandate to protect civilians, as established by the Security Council. An analysis based solely on these indicators in the mission's broad area of responsibility could lead to the erroneous conclusion that the mission has failed (or succeeded) at protecting civilians, while disregarding or diminishing other significant and relevant indicators (such as reduced incidents of forcible displacement of civilians or cases where humanitarian access was assured) that could lead to a very different conclusion.

7. Many factors beyond a mission's control affect its ability to protect civilians, which may be impossible to reflect adequately through quantitative metrics in the results-based-budgeting performance report. The will and capacity of the host authorities to meet their primary responsibility for the protection of civilians; the proliferation of armed groups intent on harming civilians; terrain where missions lack sufficient mobility to reach areas where civilians may be under threat of physical violence are among these factors. Use of narrow, strictly quantitative measures for reporting on mission performance in the protection of civilians would fail to capture these complexities.

8. Host States bear the primary responsibility for the protection of civilians. This principle is articulated in all Security Council resolutions mandating peacekeeping operations to protect civilians from imminent threat of physical violence, as well as in reports of the Secretary-General and numerous reports of the Special Committee on Peacekeeping Operations. Measuring protection-of-civilians performance on the basis of available information on all conflict-related deaths and sexual violence/rapes that occur in a mission area also fails to acknowledge the host State's own successes or failures in protection. To this end, the consideration of other, more diverse qualitative factors may provide a more accurate measure of protection-of-civilians implementation.

9. Recommendation 3: the study notes inconsistencies in the results-based-budgeting and mission-specific reports of the Secretary-General regarding the number of "casualties" in mission areas. We agree that there should be greater

consistency in the identification and use of indicators. Recommendation 3, which calls for the Department of Peacekeeping Operations and the Department of Field Support to "consider addressing the issue of inconsistencies", appears to be made on the assumption that the statistical information in these reports can be identical or reconciled. However, we do not believe that it would be feasible to reconcile the statistics on civilian conflict-related deaths presented in these reports, nor would the effort expended in attempting to achieve such reconciliation enhance the implementation of protection-of-civilians mandates. We would prefer that this recommendation be deleted from the report. Should OIOS feel that the recommendation should stand, we request that it be categorized as "suggested" rather than "important".

10. Results-based-budgeting performance reports and mission-specific reports of the Secretary-General are fundamentally different. They attempt to capture and convey information and analysis for different audiences and purposes. Results-based-budgeting performance reports serve the narrow purpose of tracking the relationship between use of resources and overall mission objectives as measured through numerical outputs, without context. The reports of the Secretary-General to the Security Council are meant to inform the Council's understanding of the situation and its decisions regarding the strategic direction of peacekeeping in a particular country from a broader, more comprehensive perspective. They address not only the mission efforts, but also other developments, including in the evolution of political processes, overall security, human rights and the humanitarian situation. While the Department of Peacekeeping Operations is responsible for the final content of these reports, the information they contain incorporates contributions from a range of United Nations actors. It would be difficult, if not impossible, for the Department of Peacekeeping Operations to reconcile the time frames and priorities of each of these actors across the reports of the Secretary-General and the result-based-budgeting reports.

11. The OIOS Headquarters-level review of reports offers insight into the approaches adopted by different missions in conveying information related to the implementation of the protection-of-civilians mandate. Such a review is only a starting point, and cannot provide the contextual understanding needed to refine the data presented in both the results-based-budgeting performance reports and the reports of the Secretary-General to the Security Council. In light of the complexities involved in implementing protection-of-civilians mandates, and the challenges of measuring mission performance in this area, we believe that the OIOS review on this topic, while welcome, would have benefited from discussions with the missions currently mandated to protect civilians.

12. The Department of Peacekeeping Operations and the Department of Field Support agree that conflict-related civilian deaths and sexual violence/rape could be *considered* for use as indicators of achievement in results-based-budgeting performance reports, as articulated in the summary of the report. However, we believe that the formulation of recommendation 2 within the draft report is insufficient and possibly prejudicial to the development of useful guidance, given the complexity of the protection of civilians in peacekeeping.